

**In the Court of Sessions Judge, Shamli at Kairana.**  
**Presiding Officer- Inder Preet Singh Josh, (Higher Judicial Service)**  
**(J.O. Code- UP1894)**

Bail Application No.845/2026

**Kartik s/o Raju, Residence-Gram Issopur Teel, Police Station Kandhla, District Shamli.**  
**.....Accused/Applicant.**

*Versus*

**State of U.P.**

**.....Opposite Party.**

**Case Crime No.45/2026**

**U/s 103(1) BNS**

**& 9/25 Arms Act.**

**P.S. Kandhla, District Shamli.**

Present **Shri Ajay Saharawat, Advocate-** Counsel for Applicant

Present **Shri Sanjay Chauhan, D.G.C.(Criminal)-** State of U.P.

Present **Ch. Naseem Ahmad-** Counsel for Complainant.

**Dated: 03.07.2026**

The bail application is listed for orders today.

This bail application of accused **Kartik** has been filed by Krishna Kumar s/o Atar Singh, who is the Pairokar of the applicant. He has submitted that no other bail application is currently pending before Sessions Court or the Hon'ble High Court

In brief, the case of the prosecution is that on 01.02.2026, at about 2:00 PM, Virat son of Nitu, resident of Village Issopur Teel, Police Station Kandhla, District Shamli, came to the complainant's house on a motorcycle and took his son, Rashid alias Asad, with him on the motorcycle to Chhimphiyo (Boda Wala Road), within the village. There, Kartik son of Raju, Himanshu son of Sanjay, Milan son of Sonu, and two unknown persons were already present. They were armed with country-made pistols and knives. All of the aforesaid persons, including Virat, formed a common intention and attacked his son with knives and firearms with the intention of killing him. The occurrence was witnessed by Intazar, aged about 50 years, and Shahrukh son of Saleem, who were present at the spot. They saw the entire incident and tried to save his son, but the aforesaid persons assaulted his son and fled from the scene. The son of the complainant sustained serious injuries on his body due to knife and firearm attacks. He was taken to CHC Kandhla in a critical condition, where the doctors declared him dead.

Consequently, a case under Section 103(1), 190, 191(2), 191(3) BNS was registered at Kandhla Police Station against the aforementioned accused person persons. After conducting the investigation, based on the evidence from the arrest and recovery from the accused person, a charge sheet under Sections 103(1) BNS & 9/25 Arms Act has been filed against the applicant/accused in the court.

The learned Counsel for the applicant/accused has submitted that the applicant/accused has been falsely implicated in the present case. The applicant/accused has no motive to commit the alleged offence. The First Information Report is lodged with a delay, no explanation for the delay has been provided. The applicant/ accused has not committed any offence under the mentioned sections.

There is no firearm injury in the post-mortem report. There are no independent witnesses to the alleged incident. All allegations against the applicant/accused are false and fabricated. The applicant/accused has no prior convictions. The applicant/accused has been in custody at the District Jail since 03.02.2026.

The learned D.G.C. and learned private counsel have opposed the bail application stated that if, the applicant/accused is granted bail, there is every likelihood of the applicant/accused tampering with the evidence and winning over the eye witnesses of the present case.

Heard learned counsel for the parties and perused the records of the case.

From a perusal of the case file, it is evident that the applicant/accused, in collusion with other co-accused is alleged to have committed the murder of the complainant's son by attacking the deceased Rashid with knives. During the investigation, the complainant and the independent witnesses Anuj, Vishal, Mukesh, Suneel & Krishnapal in their statements under Section 180 BNSS have corroborated the allegations made in the First Information Report. Further, the weapons (Pistol & Knife) used in the commission of the alleged offence are also recovered during the investigation. The postmortem report of the deceased is available on the case file, which mentions three stab wounds on the deceased's body and states the cause of death as "shock and haemorrhage as a result antemortem injuries." A charge sheet has been filed against the applicant/accused and no investigation remains pending in the aforesaid case. Prima facie, a definite role has been attributed to the accused. In the instant case, charges are yet to be framed against the applicant/accused and other co-accused. The apprehension of accused tampering with the evidence or winning over the witnesses cannot be negated at this stage. The offence committed is heinous in nature.

That, considering the facts and circumstances of this case, and the gravity of the offense, without expressing any opinion on the merits of this case, this court does not find sufficient grounds to grant bail to the applicant/accused. All the discussions made herein above are for the purpose of disposal of this bail application and shall have no bearing on the merits of this case.

In the aforesaid facts and circumstances, no case is made out for grant of bail, hence the bail application of applicant/accused is hereby liable to be rejected.

### **ORDER**

Bail Application of accused/applicant **Kartik** is, hereby, dismissed.

**Dated: 03.07.2026**

**(Inder Preet Singh Josh),**  
Sessions Judge  
Shamli.